



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143

WASHINGTON, MONDAY, DECEMBER 15, 1997

No. 161

House of Representatives

APPOINTMENT BY THE SPEAKER AFTER SINE DIE ADJOURNMENT

Pursuant to the provisions of section 4021(c) of Public Law 105-33 and section 3 of House Resolution 311, 105th Congress, the Speaker on Monday, December 1, 1997, did appoint the following Members on the part of the House to the National Bipartisan Commission on the Future of Medicare:

Mr. THOMAS of California.

Mr. GANSKE of Iowa.

Mr. BILIRAKIS of Florida.

Mr. Samuel H. Howard of Nashville, TN.

On Friday, December 5, 1997, the Speaker did also appoint the following members on the part of the House:

Mr. DINGELL of Michigan.

Mr. McDERMOTT of Washington.

APPOINTMENT BY THE SPEAKER AFTER SINE DIE ADJOURNMENT

Pursuant to the provisions of section 8131(a)(2) of Public Law 105-56 and section 3 of House Resolution 311, 105th Congress, the Speaker on Friday, November 21, 1997, did appoint the following members on the part of the House to the Panel To Review Long-Range Air Power:

Mr. Donald B. Rice of California.

Mr. John S. Foster, Jr., of California.

COMMUNICATION FROM THE MI- NORITY LEADER OF THE HOUSE AFTER SINE DIE ADJOURNMENT

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, December 1, 1997.

Hon. NEWT GINGRICH,
Speaker of the House,
U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 955(b)(1)(B), Public Law 105-83, I hereby appoint the following Member to the National Council on the Arts: Mrs. Lowey, NY.

Yours very truly,

RICHARD A. GEPHARDT.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES AFTER SINE DIE ADJOURNMENT

Mr. FLAKE submitted the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 7, 1997.

Hon. ALEXANDER TREADWELL,
Secretary of State,
Albany, NY.

DEAR SECRETARY TREADWELL: Pursuant to section 31 of the Public Officers law, I hereby inform you that I am resigning from the United States House of Representatives. My resignation will become effective at midnight on November 16, 1997.

As you and the citizens of New York are well aware, I am returning to my pastorate at the Allen A.M.E. church in Jamaica, Queens. Although I have been called back to Allen to devote my energy and full-time attention to its congregation, I am proud of my service in Congress. It has been my distinct privilege to represent the people of the 6th Congressional District of New York, and an honor to serve the people of the United States of America.

With warmest regards, I am
Sincerely,

FLOYD H. FLAKE,
Member of Congress.

COMMUNICATION FROM THE CLERK OF THE HOUSE AFTER SINE DIE ADJOURNMENT

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, November 14, 1997.

Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives, Wash-
ington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Friday, November 14, 1997 at 1:30 p.m.: that the Senate PASSED without amendment H.J. Res. 106.

With warm regards,

ROBIN H. CARLE, Clerk,
U.S. House of Representatives.

COMMUNICATION FROM THE CLERK OF THE HOUSE AFTER SINE DIE ADJOURNMENT

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, November 14, 1997.

Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives, Wash-
ington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Friday, November 14, 1997 at 2:15 p.m.:

S. 476—Agreed to House amendment.

S. 738—Agreed to House amendment.

H.R. 1254—PASSED without amendment.

H.R. 1493—PASSED without amendment.

H.R. 1604—Receded from amendment 61.

H.R. 2159—Agreed to Conference Report.

H.R. 2265—PASSED without amendment.

H.R. 2267—Agreed to Conference Report.

H.R. 2476—PASSED without amendment.

H.R. 2607—Agreed to House amendments.

H.R. 2626—PASSED without amendment.

H.R. 2796—PASSED without amendment.

H.R. 2979—PASSED without amendment.

H.R. 3025—PASSED without amendment.

H.R. 3034—PASSED without amendment.

H.J. Res. 95—PASSED without amend-

ment.
H.J. Res. 96—PASSED without amend-

ment.

ROBIN H. CARLE, Clerk,
U.S. House of Representatives.

ENROLLED BILLS AND JOINT RES- OLUTIONS SIGNED AFTER SINE DIE ADJOURNMENT

Mr. THOMAS, from the Committee on House Oversight subsequent to the sine die adjournment of the 1st session, 105th Congress did on the following dates report that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker pro tem-

On November 13, 1997:

H.J. Res. 106. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper containing 100% post consumer waste

H10959

On November 17, 1997:

H.R. 2607. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes.

H.R. 867. An act to promote the adoption of children in foster care.

On November 19, 1997:

H.R. 2159. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes.

On November 24, 1997:

H.R. 2267. An act making appropriations for the Departments of Commerce, Justice and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

On November 25, 1997:

H.R. 1254. An act to designate the United States Post Office building located at 1919 West Bennett Street in Springfield, Missouri, as the "John N. Griesemer Post Office Building."

H.R. 1493. An act to require the Attorney General to establish a program in local prisons to identify, prior to arraignment, criminal aliens and aliens who are unlawfully present in the United States, and for other purposes.

H.R. 2626. An act to make clarifications to the Pilot Records Improvement Act of 1996, and for other purposes.

On December 4, 1997:

H.R. 1604. An act to provide for the division, use, and distribution of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18-E, 58, 364, and 18-R before the Indian Claims Commission.

H.R. 1658. An act to reauthorize and amend the Atlantic Stiped Bass Conservation Act and related laws.

H.R. 2265. An act to amend the provisions of titles 17 and 18, United States Code, to provide greater copyright protection by amending the criminal copyright infringement provisions, and for other purposes.

H.R. 2476. An act to amend title 49, United States Code, to require the National Transportation Safety Board and individual foreign air carriers to address the needs of families of passengers involved in aircraft accidents involving foreign air carriers.

H.R. 2796. An act to authorize the reimbursement of members of the Army deployed to Europe in support of operations in Bosnia for certain out-of-pocket expenses incurred by the members during the period beginning on October 1, 1996, and ending on May 31, 1997.

H.R. 2977. An act to amend the Federal Advisory Committee Act to clarify public disclosure requirements that are applicable to the National Academy of Sciences and the National Academy of Public Administration.

H.R. 2979. An act to authorize acquisition of certain real property for the Library of Congress, and for other purposes.

H.R. 3025. An act to amend the Federal charter for Group Hospitalization and Medical Services, Inc., and for other purposes.

H.R. 3034. An act to amend section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985, relating to customs user fees, to allow the use of such fees to provide for customs inspectional personnel in connection with the arrival of passengers in Florida, and for other purposes.

H.J. Res. 95. Joint resolution granting the consent of Congress to the Chickasaw Trail Economic Development Compact.

H.J. Res. 96. Joint resolution granting the consent and approval of Congress for the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to

amend the Washington Metropolitan Area Transit Regulation Compact.

SENATE ENROLLED BILLS SIGNED AFTER SINE DIE ADJOURNMENT

The Speaker pro tempore, subsequent to the sine die adjournment of the 1st session, 105th Congress, announced her signature to enrolled bills and a joint resolution of the Senate of the following titles:

On November 17, 1997:

S. 1026. An act to reauthorize the Export-Import Bank of the United States.

S. 1139. An act to reauthorize the programs of the Small Business Administration, and for other purposes.

S. 1228. An act to provide for a 10-year circulating commemorative coin program to commemorate each of the 50 States, and for other purposes.

S. 1354. An act to amend the Communications Act of 1934 to provide for the designation of common carriers not subject to the jurisdiction of a State commission as eligible telecommunications carriers.

S. 1378. An act to extend the authorization of use of official mail in the location and recovery of missing children, and for other purposes.

S. 1417. An act to provide for the design, construction, furnishing and equipping of a Center for Performing Arts within the complex known as the New Mexico Hispanic Cultural Center and for other purposes.

S. 1505. An act to make technical and conforming amendments to the Museum and Library Services Act, and for other purposes.

S. 1507. An act to amend the National Defense Authorization Act for Fiscal Year 1998 to make certain technical corrections.

S. 1519. An act to provide a 6-month extension of highway, highway safety, and transit programs pending enactment of a law reauthorizing the Intermodal Surface Transportation Efficiency Act of 1991.

On November 19, 1997:

S. 156. An act to provide certain benefits of the Pick-Sloan Missouri River Basin program to the Lower Brule Sioux Tribe, and for other purposes.

S. 476. An act to provide for the establishment of not less than 2,500 Boys and Girls Clubs of America facilities by the year 2000.

S. 738. An act to reform the statutes relating to Amtrak, to authorize appropriations for Amtrak, and for other purposes.

S. 819. An act to designate the United States courthouse at 200 South Washington Street in Alexandria, Virginia, as the Martin V.B. Bostetter, Jr. United States Courthouse.

S. 830. An act to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products, and for other purposes.

S. 833. An act to designate the Federal building courthouse at Public Square and Superior Avenue in Cleveland, Ohio, as the Howard M. Metzenbaum United States Courthouse.

S. 1161. An act to amend the Immigration and Nationality Act to authorize appropriations for refugee and entrant assistance for fiscal years 1998 and 1999.

S. 1193. An act to amend chapter 443 of title 49, United States Code, to extend the authorization of the aviation insurance program, and for other purposes.

S. 1559. An act to provide for the design, construction, furnishing, and equipping of a Center for Historically Black Heritage within Florida A&M University.

S. 1565. An act to make technical corrections to the Nicaraguan Adjustment and Central American Relief Act.

S.J. Res. 39. A joint resolution to provide for the convening of the second session of the One Hundred Fifth Congress.

BILLS PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT

Mr. THOMAS, from the Committee on House Oversight, subsequent to the sine die adjournment of the 1st session, 105th Congress, did on the following date present to the President for his approval bills and joint resolutions of the House of the following titles:

On November 14, 1997:

H.J. Res. 103. Joint resolution waiving certain enrollment requirements with respect to certain specified bills of the One Hundred Fifth Congress.

H.J. Res. 106. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

On November 17, 1997:

H.R. 867. An act to promote the adoption of children in foster care.

H.R. 2607. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes.

On November 19, 1997:

H.R. 2159. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes.

On November 24, 1997:

H.R. 2267. An act making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

On November 25, 1997:

H.R. 1254. An act to designate United States Post Office building located at 1919 West Bennett Street in Springfield, Missouri, as the "John N. Griesemer Post Office Building."

H.R. 2626. An act to make clarifications to the Pilot Records Improvement Act of 1996, and for other purposes.

H.R. 1493. An act to require the Attorney General to establish a program in local prisons to identify, prior to arraignment, criminal aliens and aliens who are unlawfully present in the United States, and for other purposes.

On December 4, 1997:

H.R. 2476. An act to amend title 49, United States Code, to require the National Transportation Safety Board and individual foreign air carriers to address the needs of families of passengers involved in aircraft accidents involving foreign air carriers.

H.R. 2265. An act to amend the provisions of titles 17 and 18, United States Code, to provide greater copyright protection by amending criminal copyright infringement provisions, and for other purposes.

H.R. 1604. An act to provide for the division, use, and distribution of judgments funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18-E, 58, 364, and 18-R before the Indian Claims Commission.

H.R. 3034. An act to amend section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985, relating to customs user fees, to allow the use of such fees to provide for customs inspectional personnel in connection with the arrival of passengers in Florida, and for other purposes.

H.R. 2796. An act to authorize the reimbursement of members of the Army deployed to Europe in support of operations in Bosnia

for certain out-of-pocket expenses incurred by the members during the period beginning on October 1, 1996, and ending on May 31, 1997.

H.R. 1658. An act to reauthorize and amend the Atlantic Striped Bass Conservation Act and related laws.

H.R. 2977. An act to amend the Federal Advisory Committee Act to clarify public disclosure requirements that are applicable to the National Academy of Sciences and the National Academy of Public Administration.

H.R. 2979. An act to authorize acquisition of certain real property for the Library of Congress, and for other purposes.

H.R. 3025. An act to amend the Federal charter for Group Hospitalization and Medical Services, Inc., and for other purposes.

H.J. Res. 95. Joint resolution grating the consent of Congress to the Chickawan Trail Economic Development Compact.

H.J. Res. 96. Joint resolution granting the consent and approval of Congress for the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact.

HOUSE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT PRIOR TO SINE DIE ADJOURNMENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

On November 7, 1997:

H.J. Res. 101. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

On November 9, 1997:

H.J. Res. 104. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

On November 10, 1997:

H.J. Res. 105. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

H.R. 2013. An act to designate the facility of the United States Postal Service located at 551 Kingstown Road in South Kingstown, Rhode Island, as the "David B. Champagne Post Office Building."

On November 12, 1997:

H.R. 2464. An act to amend the Immigration and Nationality Act to exempt internationally adopted children 10 years of age or younger from the immunization requirement in section 212(a)(1)(A)(ii) of such Act.

On November 13, 1997:

H.R. 79. An act to provide for the conveyance of certain land in the Six Rivers National Forest in the State of California for the benefit of the Hoopa Valley Tribe.

H.R. 672. An act to make technical amendments to certain provisions of title 17, United States Code.

H.R. 708. An act to require the Secretary of the Interior to conduct a study concerning grazing use and open space within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges.

H.R. 2264. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

SENATE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT PRIOR TO SINE DIE ADJOURNMENT

The President notified the Clerk of the House that on the following dates

he had approved and signed bills of the Senate of the following titles:

On November 10, 1997:

S. 1227. An act to amend title I of the Employee Retirement Income Security Act of 1974 to clarify treatment of investment managers under such title.

On November 12, 1997:

S. 587. An act to require the Secretary of the Interior to exchange certain lands located in Hinsdale County, Colorado.

S. 588. An act to provide for the expansion of the Eagles Nest Wilderness within the Arapaho National Forest and the White River National Forest, Colorado, to include land known as the Slate Creek Addition.

S. 589. An act to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, Colorado, to correct the effects of earlier erroneous land surveys.

S. 591. An act to transfer the Dillon Ranger District in the Arapaho National Forest to the White River National Forest in the State of Colorado.

On November 13, 1997:

S. 931. An act to designate the Marjory Stoneman Douglas Wilderness and the Ernest F. Coe Visitor Center.

HOUSE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT AFTER SINE DIE ADJOURNMENT

The President, subsequent to the sine die adjournment of the 1st session, 105th Congress, notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

On November 14, 1997:

H.J. Res. 106. Joint resolution making further appropriations for the fiscal year 1998, and for other purposes.

H.R. 2107. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

On November 18, 1997:

H.R. 1119. An act to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

H.R. 2160. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1998, and for other purposes.

On November 19, 1997:

H.R. 282. An act to designate the United States Post Office building located at 153 East 110th Street, New York, New York, as the "Oscar Garcia Rivera Post Office Building."

H.R. 681. An act to designate the United States Post Office building located at 313 East Broadway in Glendale, California, as the "Carlos J. Moorhead Post Office Building."

H.R. 867. An act to promote the adoption of children in foster care.

H.R. 1057. An act to designate the building in Indianapolis, Indiana, which houses the operations of the Indianapolis Main Post Office as the "Andrew Jacobs, Jr. Post Office Building."

H.R. 1058. An act to designate the facility of the United States Postal Service under construction at 150 West Margaret Drive in Terre Haute, Indiana, as the "John T. Myers Post Office Building."

H.R. 1377. An act to amend title I of the Employee Retirement Income Security Act of 1974 to encourage retirement income savings.

H.R. 1479. An act to designate the Federal building and United States courthouse located at 300 Northeast First Avenue in Miami, Florida, as the "David W. Dyer Federal Building and United States Courthouse."

H.R. 1484. An act to redesignate the United States courthouse located at 100 Franklin Street in Dublin, Georgia, as the "J. Roy Rowland United States Court."

H.R. 1747. An act to amend the John F. Kennedy Center Act to authorize the design and construction of additions to the parking garage and certain site improvements, and for other purposes.

H.R. 1787. An act to assist in the conservation of Asian elephants by supporting and providing financial resources for the conservation programs of nations within the range of Asian elephants and projects of persons with demonstrated expertise in the conservation of Asian elephants.

H.R. 2129. An act to designate the United States Post Office located at 150 North 3rd Street in Steubenville, Ohio, as the "Douglas Applegate Post Office."

H.R. 2367. An act to amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans.

H.R. 2564. An act to designate the United States Post Office located at 450 North Centre Street in Pottsville, Pennsylvania, as the "Peter J. McCloskey Postal Facility."

H.R. 2607. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes.

On November 20, 1997:

H.J. Res. 91. Joint resolution granting the consent of Congress to the Apalachicola-Chattahoochee-Flint River Basin Compact.

H.J. Res. 92. Joint resolution granting the consent of Congress to the Alabama-Coosa-Tallapoosa River Basin Compact.

H.R. 1086. An act to codify without substantive change laws related to transportation and to improve the United States Code.

H.R. 2813. An act to waive time limitations specified by law in order to allow the Medal of Honor to be awarded to Robert R. Ingram of Jacksonville, Florida for acts of valor while a Navy Hospital Corpsman in the Republic of Vietnam during the Vietnam conflict.

On November 21, 1997:

H.R. 1090. An act to amend title 38, United States Code, to allow revision of veterans benefits decisions based on clear and unmistakable error.

H.R. 1840. An act to provide a law enforcement exception to the prohibition on the advertising of certain electronic devices.

H.R. 2366. An act to transfer to the Secretary of Agriculture the authority to conduct the census of agriculture, and for other purposes.

H.R. 2731. An act for the relief of Roy Desmond Moser.

H.R. 2732. An act for the relief of John Andre Chalot.

On November 26, 1997:

H.J. Res. 103. Joint resolution waiving certain enrollment requirements with respect to certain specified bills of the One Hundred Fifth Congress.

H.R. 2159. An act making appropriations for foreign operations, export financing, and

related programs for the fiscal year ending September 30, 1998, and for other purposes.

H.R. 2267. An act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

On December 2, 1997:

H.R. 1254. An act to designate the United States Post Office building located at 1919 West Bennett Street in Springfield, Missouri, as the "John N. Griesemer Post Office Building."

On December 5, 1997:

H.R. 1493. An act to require the Attorney General to establish a program in local prisons to identify, prior to arraignment, criminal aliens and aliens who are unlawfully present in the United States, and for other purposes.

H.R. 2626. An act to make clarifications to the Pilot Records Improvement Act of 1996, and for other purposes.

SENATE BILLS AND JOINT RESOLUTION APPROVED BY THE PRESIDENT AFTER SINE DIE ADJOURNMENT

The President, subsequent to the sine die adjournment of the 1st session, 105th Congress, notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution of the Senate of the following titles:

On November 19, 1997:

S. 813. An act to amend chapter 91 of title 18, United States Code, to provide criminal penalties for theft and willful vandalism at national cemeteries.

On November 20, 1997:

S. 669. An act to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site.

S. 858. An act to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

S. 1231. An act to authorize appropriations for fiscal years 1998 and 1999 for the United States Fire Administration, and for other purposes.

S. 1347. An act to permit the city of Cleveland, Ohio, to convey certain lands that the United States conveyed to the city.

S. 1377. An act to amend the Act incorporating the American Legion to make a technical correction.

On November 21, 1997:

S. 714. An act to amend title 38, United States Code, to revise, extend, and improve programs for veterans.

S. 830. An act to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products, and for other purposes.

S. 923. An act to amend title 38, United States Code, to prohibit interment or memorialization in certain cemeteries of persons committing Federal or State capital crimes.

S. 1258. An act to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to prohibit an alien who is not lawfully present in the United States from receiving assistance under that Act.

On November 26, 1997:

S. 1026. An act to reauthorize the Export-Import Bank of the United States.

On December 1, 1997:

S. 819. An act to designate the United States courthouse at 200 South Washington

Street in Alexandria, Virginia, as the "Martin V.B. Bostetter, Jr. United States Courthouse."

S. 833. An act to designate the Federal building courthouse at Public Square and Superior Avenue in Cleveland, Ohio, as the "Howard M. Metzenbaum United States Courthouse."

S. 1228. An act to provide for a 10-year circulating commemorative coin program to commemorate each of the 50 States, and for other purposes.

S. 1354. An act to amend the Communications Act of 1934 to provide for the designation of common carriers not subject to the jurisdiction of a State commission as eligible telecommunications carriers.

S. 1378. An act to extend the authorization of use of official mail in the location and recovery of missing children, and for other purposes.

S. 1417. An act to provide for the design, construction, furnishing and equipping of a Center for Performing Arts within the complex known as the New Mexico Hispanic Cultural Center and for other purposes.

S. 1505. An act to make technical and conforming amendments to the Museum and Library Services Act, and for other purposes.

S. 1507. An act to amend the National Defense Authorization Act for Fiscal Year 1998 to make certain technical corrections.

S. 1519. An act to provide a 6-month extension of highway, highway safety, and transit programs pending enactment of a law reauthorizing the Intermodal Surface Transportation Efficiency Act of 1991.

On December 2, 1997:

S. 156. An act to provide certain benefits of the Pick-Sloan Missouri River Basin program to the Lower Brule Sioux Tribe, and for other purposes.

S. 476. An act to provide for the establishment of not less than 2,500 Boys and Girls Clubs of America facilities by the year 2000.

S. 738. An act to reform the statutes relating to Amtrak, to authorize appropriations for Amtrak, and for other purposes.

S. 1139. An act to reauthorize the programs of the Small Business Administration, and for other purposes.

S. 1161. An act to amend the Immigration and Nationality Act to authorize appropriations for refugee and entrant assistance for fiscal years 1998 and 1999.

S. 1193. An act to amend chapter 443 of title 49, United States Code, to extend the authorization of the aviation insurance program, and for other purposes.

S. 1559. An act to provide for the design, construction, furnishing, and equipping of a Center for Historically Black Heritage within Florida A&M University.

S. 1565. An act to make technical corrections to the Nicaraguan Adjustment and Central American Relief Act.

S.J. Res. 39. Joint resolution to provide for the convening of the Second Session of the One Hundred Fifth Congress.

OMISSION FROM THE CONGRESSIONAL RECORD OF NOVEMBER 13, 1997

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1371. An act to establish felony violations for the failure to pay legal child support obligations, and for other purposes; to the Committee on the Judiciary.

OMISSION FROM THE CONGRESSIONAL RECORD OF NOVEMBER 13, 1997, PAGES 10899 AND 10900

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. SHUSTER] and the gentleman from Minnesota [Mr. OBERSTAR] each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at long last we have an Amtrak reform bill here on the floor which has strong bipartisan support. It is a bill which has the reforms in it which are so necessary. It is a bill which provides for the board, which is the creation of a new board which is constitutional and which has the degree of independence necessary to make the tough decisions. It provides for the management to be able to make decisions with regard to the route configuration. Indeed, it gives Amtrak a fighting chance to succeed and survive.

Mr. Speaker, I urge all of our colleagues to support this measure.

Mr. Speaker, I rise in support of S. 738, the Amtrak Reform and Accountability Act of 1997.

Mr. Speaker, I am very pleased that we have been able to reach a bipartisan agreement on an amendment to S. 738. Over the past 24 hours, we have been able to reach consensus with our colleagues on the other side of the aisle on the issue of the Amtrak board of directors. This amendment will provide Amtrak with the reforms it so badly needs, as well as release of the \$2.3 billion in capital funds that were provided in the Taxpayer Relief Act.

The amendment adopts the basic principles and reforms of S. 738, the bill passed by the Senate last Friday by unanimous consent, and makes limited but important changes that will ensure successful implementation of long overdue Amtrak reforms.

This amendment contains the labor, liability, and contracting-out provisions that were included in the Senate bill with no changes.

I am pleased that the reforms in this amendment will allow Amtrak, for the first time in its 26-year history, to operate more like a business and cut costs.

On the issue of labor protection, the Senate bill contains a provision that is almost identical to reforms that were included in the House bill, H.R. 2247. The provision will repeal the statutory guarantee that Amtrak provide up to 6 years of labor protection to any employee who is laid off due to a route elimination or frequency reduction to below three times per week. This issue would be sent to collective bargaining, under a 180-day accelerated bargaining process.

The current ban on contracting out any work other than food and beverage service if it would result in the layoff of a single employee would also be repealed in the Senate bill. This issue would be sent to collective bargaining, but would not be negotiable until the next round of contract negotiations, unless the parties mutually agreed to take it up before then.

The Senate bill also provides for a global cap of \$200 million on tort liability for death or injury to a passenger, or damage to property of a passenger. It also includes a requirement

that Amtrak maintain insurance of at least \$200 million.

Further, the Senate bill would clarify that a provider of rail passenger transportation may enter into contracts that allocate financial responsibility for claims. This provision is not to be construed to impair or call into question the enforceability of existing contracts between Amtrak and other rail carriers that allocate financial responsibility for claims. It also should not be construed to affect pending cases. In addition, it should not be construed to eliminate existing State limits on liability for commuter operators.

Again, on these important issues . . . labor protection, liability and contracting out . . . we are accepting the Senate compromise and making no change to it.

The one significant departure from the Senate bill in this amendment relates to the board of directors. The House amendment would replace the existing board with a new, 7-member reform board to be appointed by the President in consultation with House and Senate majority and minority leadership. New members would be required to have expertise in transportation or corporate or financial management.

The purpose of this provision is to provide a fresh start for Amtrak, and to ensure that only qualified professionals are permitted to serve on the board of directors. The amendment also allows the President to select the Secretary of Transportation as a board member. It also designates the president of Amtrak

as an ex-officio, non-voting member of the board.

Mr. Speaker, these changes to Amtrak's board bill are necessary to allow the Senate-passed reforms to work.

Mr. Speaker, I believe that the Senate bill as modified by this amendment provides meaningful reform of Amtrak that will go a long way toward restoring financial viability and improving rail passenger service. It will also release the \$2.3 billion that was provided in the Taxpayer Relief Act, allowing Amtrak to make much-needed capital investments.

I urge a "yes" vote on S. 738, as amended.

Mr. Speaker, I reserve the balance of my time.